PETITION FOR ZONING VARIANCE 84-25-A TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owr (s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.1 to permit a accessory structure ( garage ) to be located Marine conservation IN The side YARD IN STEAD of the required

REAR YARD NWD of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for t following reasons: (indicate hardship or practical disculty) Only area to costruct garage Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: Legal Owner(s): John W DirsyL or Petitioner: Name, address and phone number of legal owner, con-ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_24th \_\_\_\_ day County, on the \_\_\_\_\_\_ day of \_\_\_\_\_ July \_\_\_\_, 19\_83\_\_, at 9:45\_\_ o'clock - July 3/10 BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204 HARRY J. PISTEL, P. E. June 16, 1983 DIRECTOR

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #238 (1982-1983) Property Owner: John W. & Maureen S. Diegel E/S Rustic Ave. 342' S/E of centerline Philadelpha Rd. Acres: 0.14 District: 15th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject

Highways:

Rustic Avenue, an existing public road, is proposed to be further improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damacus to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

> ROBERT A. MORTON, P.E., Chief Bureau of Public Services

RAM: EAM: FWR:ss

I-WW Key Sheet 12 NE 22 Pos. Sheet NE 3 F Topo 89 Tax Map

RE: PETITION FOR VARIANCE E/S of Rustic Ave., 342' SE of the Centerline of Philadelphia Rd., 15th District

BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

JOHN W. DIEGEL, et ux, Case No. 84-25-A

::::::::

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

irruant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

Keter Max Commenne Peter Max Zimmerman Deputy People's Counsel

John W. Hessian, III People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 28th day of June, 1983, a copy of the foregoing Order was mailed to Mr. and Mrs. John W. Diegel, 1224 Rustic Avenue, Baltimore, MD 21237, Petitioners,



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS DIRECTOR

June 22, 1983

Mr. William Hammond Zoning Commissionez County Office Building Towson, Maryland 21204

> Meeting of May 24, 1983 Item No. 237, 238 239, 240, 241, 242, 243, 244, 246, 247, and 248 Property Owner: Existing Zoning: Proposed Zoning:

Acres: District:

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for items numbers 237, 238, 239, 240, 241, 242, 243, 244, 246, 247, and 248.

MSF/ccm

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE July 11, 1983

COUNTY OFFICE BLDG.
III W. Chesapeake Ave.
Towson, Maryland 21204

Mr. & Mrs. John W. Diegel
1224 Rustic Avenue Baltimore, Maryland 21237

Nicholas B. Commoda

MEMBERS

Burcau of

Engineering

Department of

Health Department

Froject Planning

Building Department Hoard of Education

Zoning Administration

RE: Item No. 238 - Case No. 84-25-A Petitioner - John W. Diegel, et ux Variance Petition Dear Mr. & Mrs. Diegel:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the approtateness of the zoning action requested, but to assure regard to the development plans or problems with this case. The Director of Planning may have a bearing on report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the Otherwise, any comment that is not informative will be filing on the date of the enclosed filing certificate and a

Very truly yours, Michales, E. Connedere boe NICHOLAS B. COMMODARI Chairman Zoning Plans Advisory Committee

June 6, 1983

NBC:bsc

cc: Frank S. Lee 1277 Neighbors Avenue Baltimore, Md. 21237

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner TO Office of Planning and Zoning Date\_\_\_May 23, 1983

FROM Ian J. Forrest SUBJECT Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

Item # 172 - F & M Enterprises, Inc. Item # 178 - Joseph L. Soley Item # 181 - Robert H. & Mildred J. McKenny Item # 190 - J. N. G. Company, Inc. Item # 191 - Fred L. Elrick, Sr. Item # 192 - Cohn Brothers Tiem # 198 - Galway, Incorporated Item # 199 - Clarence & Irene McNeal Item # 204 - Robert C. Baumgartner Item # 207 - F & S Partnership Item # 210 - Ervin J. & Joan W. Cerveny Item # 211 - Middle River Realty Company, Inc. Item # 224 - Barry L. & Ruth Green Item # 225 - Hattie Kirson Item # 228 - Christopher R. & Pamela L. Burrow Item # 230 - Richard L. & Licia M. Hilbert Item # 231 - James E. & Mary H. O'Meara, Jr. Item # 233 - Merritt Blvd. Limited Partnership

Item # 232 - Venice K. Paterakis Item # 234 - Ruxton Crossing Joint Venture Item # 236 - Owen C. & Elsie M. Smith, Jr. Item # 237 - Joseph W. & Donna M. Stack

Item # 238 - John W. & Maureen S. Diegel Item # 241 - Broadus B. & Eath W. Whitlock, Jr. Item # 242 - Herbert L. & Patricia H. Grymes Item # 243 - Lawrence J. & Patricia A. Sadowski Item # 244 - Edwin B. & Sharyn A. Brager
Item # 246 - Martin Plaza, Inc.
Item # 248 - Martin H. Feeheley, Jr., et ux

> Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

LJF/fth

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
10WSON, MARYLAND 21204
494-3900

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Esseond Comments on Item #238 Zoning Advisory Committee Meeting May 24, 1983

Property Owners John W. & Maureen S. Diegel
Locations E/S Rustic Ave. 342' S/E of centerline Philadelphia Road
Existing Zonings D.R. 5.5
Proposed Zonings Variance to permit an accessory structure to be located in the side/

rear yard in lieu of the required rear yard. Acres: 0.14 District: 15th

All structure shall conform to the Baltimore County Building Code 1981/ Council Bill 1-82 State of Maryland Code for the Eundicapped and Aged; and other applicable Codes.

B. A building/and other miscellameous permits shall be required before beginning construction. C. Residentials Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a parmit application. An exterior well erected within 6'0 of an adjacent lot line shall be of one hour fire recistive construction, no openings paraitted within 3'-0 of lot lines. A firewell is required if construction is on the lot line, See Table Lot, line 2, Section 1607 and Table 1602. Sect. R-203 if using One & Two Family Code.

P. Requested variance conflicts with the Beltimore County Smilding Code,

G. A change of cocupency shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will seet the Code requirements for the proposed change. Drawings may require

H. Defore this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Regineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 501.

These commute reflect only on the information provided by the drawings submitted to the office of Flaming and Joning and are not intunded to be construed as the full extent of any parmit. If desired, additional information may be obtained by visiting Boom #122 (Flens Review) at 111 Vest Cheespeaks Ave., 21206

hereby GRANTED, from and after the date of this Order, subject, however, to the approval of said plan by the Department of Public Works and the Office of Planning and Zoning. FOR BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353 WILLIAM E. HAMMOND ZONING COMMISSIONER July 13, 1983 Mr. & Mrs. John W. Diegel 1224 Rustic Avenue Baltimore, Maryland 21237 Re: Petition for Variance E/S Rustic Ave., 342' SE of the c/1 of Philadelphia Rd. Case No. 84-25-A Dear Mr. & Mrs. Diegel: This is to advise you that \$69.75 is due for advertising and posting Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing. Very truly yours, WILLIAM E. HAMMOND BALTIMORE COUNTY, MARYLAND No. 119447 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT 8/2/83 ACCOUNT\_R-01-615-000 FROM: John W. Disgal & Sons. Inc.
FROM: Advertising & Posting Case #84-25-A 6 G22-----657518 8925A VALIDATION OR BIGNATURE OF CASHIER

appearing that strict compliance with the Baltimore County Zoning Regulations would/world has

Therefore, IT IS ORDERED by the Loning Commissioner of Baltimore County, this 2nd

the community, the variance(s) should /should xnox be granted.

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested wilk/will not adversely affect the health, safety, and general welfare of... day of August , 19 83 , that the herein Petition for Variance(s) to permit an accessory structure (garage) to be located in the side yard in lieu of the required rear yard, in accordance with the site plan prepared by Frank S. Lee, dated April 28, 1983, is BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT RECEIVED John Diegel Zonine Varionce Item 238 1224 Rustic Asence

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE William E. Hammond To Zoning Commissioner
Norman E. Gerber, Director Date July 1, 1983 FROM Office of Planning and Zoning
Zoning Petition No. 84 25 A SUBJECT John W. Diegel, et uz NEG:JGH:slc cc: Arlene January Shirley Hess June 22, 1983 Mr. & Mrs. John W. Diegel 1224 Rustic Avenue Baltimore, Maryland 21237 NOTICE OF HEARING Re: Petition for Variance E/S of Rustic Ave., 342' SE of the c/l of Philadelphia Road John W. Diegel, et ux - Petitioners Case No. 84-25-A TDE: 9:45 A.M. DATE: Thursday, July 21, 1983 PIACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE, TOWSON, MARYLAND

There are no comprehensive planning factors requiring comment on this petition. Norman E. Gerber, Director Office of Planning and Zoning

LITIMORE COURTY

CCOUNT R-01-614-000

AMOUNT #35.00

ZONING: Petition for Variance LOCATION: DATE & TIME: Thursday, July 21, 1983 at 9:45 A.M. Avenue, Towson, Maryland and Regulations of Baltimore County, will hold a public hearing: The Zoning Regulation to be excepted as follows: Section 400.1 - location of accessory structure Zoning Department. Hearing Date: Thursday, July 21, 1983 at 9:45 A.M. Towson, Maryland BALTIMORE COUNTY FIRE DEPARTMENT TOWSON, MARYLAND 21204-2586 494-4500 PAUL H. REINCKE CHIEF Mr. William Hammond Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204 Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee RE: Property Owner: John W. and Marueen S. Diegel Location: E/S Rustic Avenue 342' S/E of centerline Philadelphia Road Item No.: 238

PETITION FOR VARIANCE 15th Election District

East side of Rustic Avenue, 342 ft. Southeast of the centerline of Philadelphia Road

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act

Petition for Variance to permit an accessory structure (garage) to be located in the side yard instead of the rear yard

All that parcel of land in the Fifteenth District of Baltimore County

Being the property of John W. Diegel, et ux, as shown on plat plan filed with the

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue,

BY ORDER OF WILLIAM E. HAMMOND ZONING COMMISSIONER OF BALTIMORE COUNTY

FRANK S. LEE

Registered Land Surveyor 1277 NEIGHBORS AVE. - BALTIMORE, MD. 21237

April 28, 1983

No. 1224 Rustic Avenue 15th District Baltimore County, Maryland

Beginning for the same in the center of Rustic Avenue at the distance of 342 feet more or less measured southeasterly along the center of Rustic Avenue from the center of Philadelphia Road, thence running and binding on Rustic Avenue South 62 degrees 33 minutes East 94.95 feet, thence leaving Fustic Avenue for three lines of division as follows: North 53 degrees 27 minutes East 47.10 feet, North 36 degrees 24 minutes West 85 feet and South 53 degrees 27 minutes West 89.60 feet to the place of beginning,

Containing 0.14 acres of land more or less.



September 14, 1983

Zoning Agenda: Meeting of May 24, 1983 Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_feet along an approved road, in accordance with Baltimore County Standards as Jublished by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department. ( ) 4. The site shall be made to comply with all applicable parts of the

Fire Prevention Code prior to occupancy or beginning of operation. (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time. Planning Group 1949 Noted and Alors Milliganos

Special Inspection Division

to occupancy.

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND ZONING COMMISSIONER

August 2, 1983

Mr. and Mrs. John W. Diegel 1224 Rustic Avenue Baltimore, Maryland 21237

> RE: Petition for Variance E/S of Rustic Ave., 342' SE of the center line of Philadelphia Rd. - 15th Election John W. Diegel, et ux - Petitioners

NO--84-25-A (Item No. 238)

Dear Mr. and Mrs. Diegel:

JMHJ/mc

I have this date passed my Order in the above captioned matter in accordance with the attached.

Deputy Zoning Commissioner

Attachments cc: Mr. Dale Shaffer 1222 Rustic Avenue Baltimore, Maryland 21237

John W. Hessian, III, Esquire People's Counsel

Mr. & Mrs. John W. Liegel 1224 Rustic Avenue Baltimore, Kd. 21237

. 19 33

May

Frank S. Lee 1277 Neighbors Ave Baltimore, Md. 21237

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Your Petition has been received and accepted for filing this 24th

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

		WILLIAM E. HAMMOND Zoning Commissioner
Petitioner_	John W. Diegel, et ux	
Petitioner'	s Attorney	Reviewed by: Julian B. Commodani
		Nicholas B. Commodari
		Chairman, Zoning Plans
		Advisory Committee

PETITION	MAPPING		NG	PROGRESS			SHEE	T			
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet		
TONCTION	date	by	date	Ьу	date	Ьу	date	Ьу	date	by	
Descriptions checked and outline plotted on map				<u>.</u>							
Petition number added to outline											
Denied											
Granted by ZC, BA, CC, CA								-			
Reviewed by:					ed Pla		or des	cripti	on	Yes	
Previous case: None			Map #No								

PETITION FOR VARIANCE ZONING: Petition for Variance LOCATION: East side of Rustic Avenue, 342 ft. Southeast of the centerline of Philadelphia Road DATE & TIME: Thursday, July 24, 1863 at 8:45 A.M. PUBLIC HEARING: Room 106, County Office Building, 111 W Chesapeaks Avenue, Towson, Maryland.

The Zoning Commissioner of Bai-tmore County, by authority of the Zoning Act and Regulations of Baitimore County, will hold a public hearing: Petition fo Variance to permit an accessory structure (garage) to be located in the side yard instead of the rear yard

The Zoning Regulation to be an copted as follows:
Section 400.1—location of accessory structure
All that parcel of land in the Fifteenth District of Baltimore County
Beginning for the same in the
center of Rustic Avenue at the distance of 342 feet more or less measured southeasterie storm the tance of 342 feet more or less measured southeasterly clong the centar of Rustic Avenue from the center of Philadelphia Road, thence running and binding on Rustic Avenue South 62 degrees 33 minutes East 94.95 feet, thence leaving Rustic Avenue for three lines of division as follows: North 53 degrees 27 minutes East 47.10 feet, North 36 degrees 24 minutes West 85 feet and South 63 degrees 27 minutes West 89.60 feet to the place of beginning.

west 39.60 feet to the place of beginning.
Containing 0.14 acres of land
more or lens.

Being the property of John W.
Diegel, et ux, as shown on plat
plan filed with the Zoning Department.

Hearing Date: Thursday, July
21, 1963 at \$:45 A.M. Public Rearing: Room 106, Coun-t. Office Building, 111 W. Chess-peaks Avenue, Townen, Maryland, By Order Of WILLIAM E. HAMMOND, Zoning Commissioner of Bultimore County June 30, her wast bloken Land there's

84-25-A

## CERTIFICATE OF PUBLICATION

TOWSON, MD., June 30 19 83

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., 20022019302812205 day of \_\_\_\_\_July \_\_\_\_, 19.83 , the Net publication appearing on the \_\_\_\_30th \_\_\_\_ day of \_\_\_\_\_ M June

Cost of Advertisement, \$ 22.75

## CERTIFICATE OF PUBLICATION 15th Election District - ZONING: Petition for Variance LOCATION: East side of Rustic Ave-

nue, 342 ft. Southeast of the center-ine of Philadelphia Road

DATE & TIME: Thursday, July 21,

PUBLIC HEARING: Room 106. County Office Building, 111 W. Chesa-peake Avenue, Towson, Maryland

The Zoning Commissioner of Batti-more County, by authority of the Zon-ing Act and Regulations of Battimore

County will hold a public hearing:

Petition for Variance to permit an accessory struction (garage) to be located in the side yard instead of

the rear yard.

The Zoning Regulation to be ex-

cepted as follows:
Section 400.1 - location of acces-

All that parcel of land in the fit-teenth District of Baltimore County Beginning for the same in the cen-ter of Rustic Avenue at the distance

of 342 feet more or less measured

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feel, thence leaving Rustic Avenue for

North 53 degrees 27 minutes East 47.10 feet. North 36 Gegrees 24 minutes West . 5 feet and South 53

Containing 0.14 acres of land more

Beining the property of John W.

Diegel, et ux. as shown on plat plan

Public Hearing: Room 106, County

Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

WILLIAM E. HAMMOND ZONING COMMISSIONER

OF BALTIMORE COUNTY

filed with the Zoning Department Hearing Dole Thursday, July 21, 1983 at 945 A.M.

to the place of beginning

1983 at 9.45 A.M.

## OFFICE OF Dundalk Eagle

38 N. Dundalk Ave. Dundalk, Md. 21222

June 30,

THIS IS TO CERTIFY, that the annexed advertisement of Wm. E. Hammond in the matter of PETITION FOR VARIANCE -P.O. #4 412 - REQ. #L49811.

The Dundalk Eagle a weekly newswas instead in paper published in Baltimore County, Maryland, once a week

lst day of

19 83; that is to say,

šuččeššívě weeks before the

19 83

the same was inserted in the issues of June 30, 1983

Kimbel Publication, Inc. per Publisher.

By K.C. Oelke

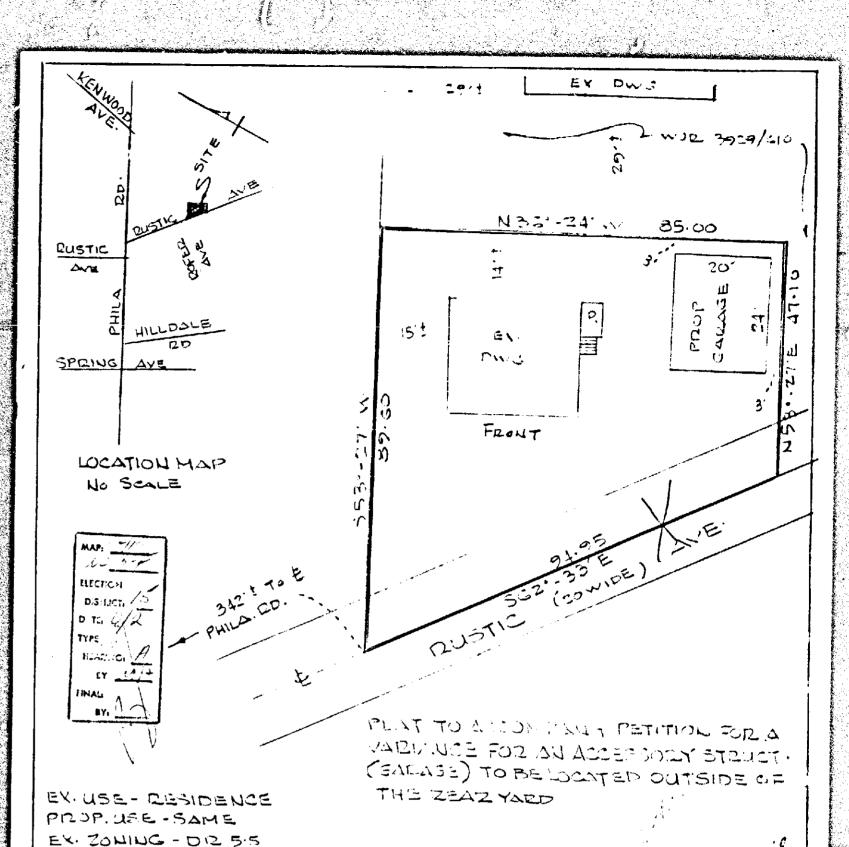
34-25-A

## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Date of Posting 7/3/83 dee) " " " Number of Signs:







Ilm #238 JOHN W. DIECEL JR. EWF.

1224 RUSTIC AVE. BALTO, MD. 21237 382-6341 ISTH DISTRICT BALTIMORE COUNTY, MARTLAN? DATE 4-25-43

PRANK 8. LEH 1277 NEIGHBORS AVE. BALTIMORE, MD. 21237





PROP. ZONING - SAME

STALE 1" = 20"

AREA OF LOT - OILLACT

PUBLIC WATER & SEW LE SERVICE LOT